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United States of America

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

Case No: 2:16-cr-00100-GMN-CWH

GOVERNMENT'S REPLY TO  
DEFENDANT'S RESPONSE TO  
MOTION TO STRIKE A PORTION OF  
DEFENDANT'S CLOSING BRIEF IN  
SUPPORT OF MOTION TO  
WITHDRAW GUILTY PLEA (ECF No.  
265)

The United States of America, by and through the undersigned, files this timely reply to the Defendant's response and continues to move this Court to strike a portion of Defendant's "Closing Brief in Support of Motion to Withdraw Guilty Plea" filed late on May 30, 2018. *See* ECF No. 265. Specifically, the Government asks this Court to strike page 13, lines 5 to 21.

The Defendant concedes that this argument was never raised prior to or during the hearing, but rather was raised for the first time in his closing brief. ECF N. 267, at 2. The Defendant tries to shift the burden to explain his failure to preserve the argument



**CERTIFICATE OF SERVICE**

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing was served upon counsel of record, via Electronic Case Filing (ECF).

**DATED** this 11th day of June, 2018.

/ s / Elham Roohani

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ELHAM ROOHANI

Assistant United States Attorney